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|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/802,908 | REITER ET AL. | |
| | Examiner | Art Unit | |
| | Geoffrey L. Knable | 1733 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Tel. Interview of 2-17-2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>2-17-2006</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>5-17-2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Henry C. Young, Jr. on February 17, 2006.

The application has been amended as follows:

In the claims:

In claim 1, lines 13-14 (i.e. part (B)(1)), "preferably precipitated silica, preferably exclusive of a coupling agent for said silica" has been deleted.

In claim 2, lines 14-16 (i.e. part (E)), "and preferably a naphthenic content in a range of from about 35 to about 45 weight percent and preferably a paraffinic content in a range of from about 45 to about 55 weight percent" has been deleted.

In claim 10, line 3, "(sulfur curable)" has been deleted.

In claim 10, line 4, "(containing cord reinforced, sulfur curable, carbon black reinforced rubber plies)" has been deleted.

In claim 10, line 5, "(carbon black reinforced and usually sulfur curable)" has been deleted.

In claim 10, line 18 (i.e. part (A)(3)), "preferably precipitated silica," has been deleted.

In claim 10, line 19 (i.e. part (A)(4)), "said" has been deleted.

In claim 10, line 21 (i.e. part (A)(6)), "said" has been deleted and "fiber" has been changed to --fibers--.

New claims 18-20 have been added as follows:

18. (new) The tire of claim 1 wherein said silica is precipitated silica.

19. (new) The tire of claim 1 wherein said puncture sealing layer is exclusive of a coupling agent for said silica.

20. (new) The method of claim 10 wherein said silica is precipitated silica.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

Among the closest prior art, Smith, Sr. et al. (US 6,837,287) and Egan (US 4,895,610) disclose tires including sealant layers where the sealant includes a peroxide depolymerized butyl rubber (depolymerized during the tire cure) as well as a filler that can include silica. There is however no teaching of using an agricultural organic plant derived seed flour as claimed. Further, these references suggest use of the fillers such as silica as a substitute for some of the apparently preferred carbon black and do not therefore suggest sealants based on the depolymerized butyl rubber that also include no or very small amounts (up to 0.5phr) carbon black as claimed.

Grenga (US 5,059,636) and Kather (US 1,061,546) disclose tire sealant compositions that can include flour/wheat flour. These sealants are however very particular mixtures based upon water and ground rubber and other ingredients, these differing substantially from sealants based upon depolymerized butyl rubber and silica as claimed, there being no motivation to utilize seed flour with such a depolymerized butyl rubber and silica based sealant as claimed.

Saito (US 2003/0155058 - esp. paragraph [0036]) evidences that it is known in this art to adopt sealants having colors other than black to enable punctures to be more easily seen but otherwise does not teach or render obvious a tire having a sealant as claimed.


None of the closest prior art, then, whether taken singly or in combination, would teach or render obvious a tire or method as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Geoffrey L. Knable
Primary Examiner
Art Unit 1733

G. Knable
February 17, 2006